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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) SHO-0050	
	Application Number 10/697,248-Conf. #9040	Filed October 31, 2003	
	First Named Inventor Tatsuhiko Tanimura et al.		
	Art Unit 3711	Examiner D. R. Collins	
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <p><input type="checkbox"/> applicant /inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input type="checkbox"/> attorney or agent of record. Registration number _____</p> <p><input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. <u>29,211</u></p> <p> Signature <u>Carl Schaukowitch</u> Typed or printed name <u>(202) 955-3750</u> Telephone number <u>June 1, 2006</u> Date</p>			
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>			



## PATENT APPLICATION

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re the Application of:	Attorney Docket No.: SHO-0050
Tatsuhiko TANIMURA	Examiner: D. R. Collins
Application No.: 10/697,248	Art Unit: 3711
Filed: October 31, 2003	Confirmation No.: 9040
For: GAMING MACHINE	

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### ARGUMENTS FOR PRE-APPEAL BRIEF REQUEST FOR REVIEW

#### **Mail Stop AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Examiner issued an Advisory Action dated March 20, 2006, in response to Applicant's Response After Final Rejection under 37 CFR 1.116 filed on March 9, 2006. Applicant's Response After Final Rejection was filed in response to the final Office Action dated January 13, 2006. A complete listing of the claims and the appropriate status identifiers can be found in Applicant's Response After Final Rejection on pages 2-4. No amendments were made to the claims in Applicant's Response After Final Rejection.

In the final Office Action dated January 13, 2006, claims 1-6 are rejected under 35 U.S.C. 102(b) as anticipated by Ozaki et al. (U.S. Patent Application Publication No. 2001-0031658). The rejection is respectfully traversed.

It is respectfully submitted that the Examiner fails to establish a *prima facie* case of anticipation. The courts have required for §102 anticipation that a single reference teach (i.e., identically describe) each and every element or step of the rejected claim or else the reference falls under §103. Atlas Powder v. E. I. du Pont, 750 F.2d 1569, 224 USPQ 409 (Fed. Cir. 1984), Jamesbury Corp. v. Litton Industrial Products, 756 F.2d 1556, 22 5 USPQ 253 (Fed. Cir. 1985). As discussed in detail below, the Examiner fails to show each and every element of the rejected claims.

Ozaki discloses a gaming machine having a main frame 14 that is divided into a top section 14a, a middle section 14b, and a bottom section 14c. The middle section 14b has a square opening 24 in which a front panel 26 is fitted. Transparent EL panels 28a, 28b, and 28c are stacked behind the back face of the front panel 26 and constitute a front panel display. An intermediate panel 27 is behind the transparent EL panels 28a, 28b, and 28c. An EL display control means 50g displays overlapping patterns and gaming information on the transparent EL panels 28a, 28b, and 28c based on display data. A light source 26 is located above a reflective plate 25, and a light source 9 is located behind the reflective plate 25. Light emitted by the light source 9 passes through the reflective plate to the EL panels, while light emitted from the light source 26 is reflected by the reflective plate 25.

Claim 1 is directed to a gaming machine that includes a liquid crystal display device having a liquid crystal panel and a light guiding plate. Claim 1 recites that the light guiding plate is disposed at a rear of the liquid crystal panel and is formed with a light deflection pattern configured to guide light emitted from illumination means for the liquid crystal panel to the liquid crystal panel. Claim 1 further recites that the light guiding plate is formed with a first light deflection pattern on a periphery of the light transmission area and is formed with a second light deflection pattern in a portion more distant from the light transmission area than the first light deflection pattern. Additionally, claim 1 recites that the first light deflection pattern is formed with a pattern denser than a pattern of the second light deflection pattern.

It is respectfully submitted that the rejection is improper because the applied art fails to teach each element of claim 1. Specifically, it is respectfully submitted that the applied art fails to teach a light guiding plate is formed with a light deflection pattern configured to guide light emitted from illumination means. Additionally, it is respectfully submitted that the applied art fails to teach that the light guiding plate is formed with a first light deflection pattern on a periphery of the light transmission area and is formed with a second light deflection pattern in a portion more distant from the light transmission area than the first light

deflection pattern with the first light deflection pattern being formed with a pattern denser than a pattern of the second light deflection pattern. As a result, it is respectfully submitted that claim 1 is allowable over the applied art.

Claim 4 is directed to a gaming machine that includes a liquid crystal display device having a liquid crystal panel and a light guiding plate. Claim 4 recites that the light guiding plate is disposed at a rear of the liquid crystal panel and is formed with a light deflection pattern configured to guide light emitted from a light source to the liquid crystal panel. Further, claim 4 recites that the light guiding plate is formed with a first light deflection pattern on a periphery of the light transmission area and is formed with a second light deflection pattern in a portion more distant from the light transmission area than the first light deflection pattern. Additionally, claim 4 recites that the first light deflection pattern is formed with a pattern denser than a pattern of the second light deflection pattern. It is respectfully submitted that the rejection is improper because the applied art fails to teach each element of claim 4. Specifically, it is respectfully submitted that the applied art fails to teach a light guiding plate formed with a light deflection pattern configured to guide light emitted from a light source to the liquid crystal panel. Furthermore, it is respectfully submitted that the applied art fails to teach the light guiding plate is formed with a first light deflection pattern on a periphery of the light transmission area and is formed with a second light deflection pattern in a portion more distant from the light transmission area than the first light deflection pattern with the first light deflection pattern being formed with a pattern denser than a pattern of the second light deflection pattern. As a result, it is respectfully submitted that claim 4 is allowable over the applied art.

Claims 2 and 3 depend from claim 1 and include all of the features of claim 1. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 1 is allowable as well as for the features they recite.

Claims 5 and 6 depend from claim 4 and include all of the features of claim 4. Thus, it is respectfully submitted that the dependent claims are

allowable at least for the reason claim 4 is allowable as well as for the features they recite.

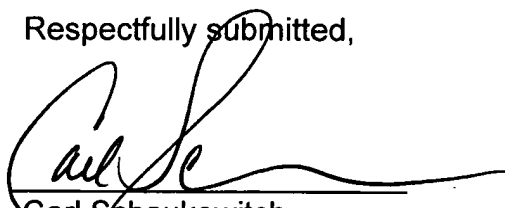
Withdrawal of the rejection is respectfully requested.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

Date: June 1, 2006

By:

  
Carl Schaukowitch  
Reg. No. 29,211

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Enclosure(s):      Notice of Appeal  
                         Pre-Appeal Brief Request for Review  
                         Petition for Extension of Time (two months)

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